

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA

ZACHARY RYAN SUTER,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. CIV-15-1101-W
	)	
CANADIAN COUNTY,	)	
	)	
Respondent.	)	

**ORDER**

On November 16, 2015, United States Magistrate Judge Bernard M. Jones issued a Report and Recommendation in this matter and recommended that this action<sup>1</sup> be dismissed without prejudice. Petitioner<sup>2</sup> Zachary Ryan Suter was advised of his right to object, see Doc. 6 at 2, but no objections have been filed within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Jones' suggested disposition of this lawsuit. Suter has neither paid the filing fee of \$5.00 nor submitted an application for leave to proceed in forma pauperis, despite being directed to do so and warned that his failure to take action could result in dismissal without prejudice. See id. at 1; Doc. 4; Doc. 5.

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<sup>1</sup>This suit commenced on the filing of a "Motion to Expedite the Cases #CM-2009-745 and CM-2013-517 Pursuant to Speedy Trial and the I.A.D," see Doc. 1, wherein movant Zachary Ryan Suter advised that he had "two unresolved cases in Canadian County, Oklahoma," id. at 1, which he had "been trying to get Canadian County to bring . . . to trial . . . ." Id. He prayed for an order that would "force Canadian County to action, and stop these charges from languishing." Id. at 3.

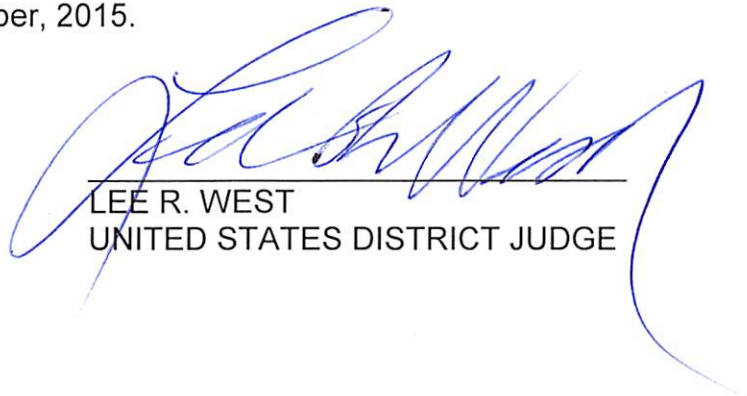
<sup>2</sup>Magistrate Judge Jones construed Suter's initial pleading as a Petition for Writ of Habeas Corpus seeking relief under title 28, section 2241 of the United States Code. See Doc. 6 at 1, n.1.

Because Suter has failed to comply with Magistrate Judge Jones' Orders, seek a timely extension of time or shown good cause for his noncompliance, the Court

(1) ADOPTS the Report and Recommendation [Doc. 6] issued on November 16, 2015; and

(2) DISMISSES this action without prejudice to refiling. See Rule 3.4, Rules of the United States District Court for the Western District of Oklahoma.

ENTERED this 16<sup>th</sup> day of December, 2015.



LEE R. WEST  
UNITED STATES DISTRICT JUDGE